

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TISHA HENDERSON,

Plaintiff,

V.

UNITED STATES PATENT AND
TRADEMARK OFFICE,

Defendant.

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No. 3:21-CV-0296-E-BK

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case that Plaintiff's claims should be dismissed with prejudice for lack of subject matter jurisdiction. No objections were filed. The Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. The Court modifies the Findings, Conclusions and Recommendation to dismiss Plaintiff's claims without prejudice. *See Warnock v. Pecos Cty., Tex.*, 88 F.3d 341, 343 (5th Cir. 1996) (because sovereign immunity deprives court of jurisdiction, claims barred by sovereign immunity are dismissed without prejudice). The Court ACCEPTS the Findings, Conclusions, and Recommendation of the United States Magistrate as modified.

SO ORDERED this 16th day of September, 2021.



Ada Brown

UNITED STATES DISTRICT JUDGE